

AMENDED IN ASSEMBLY JUNE 5, 2001

AMENDED IN SENATE MARCH 22, 2001

SENATE BILL

No. 290

Introduced by Committee on Transportation (Senators Murray (Chair), Costa, Figueroa, Karnette, Perata, Scott, Soto, and Torlakson)

February 16, 2001

An act to amend *Section 11011.18 of, and to repeal Section 14529.3 of, the Government Code, to amend Sections 42803.5 and 42950 of the Public Resources Code, and to amend Sections 302 and 325 of the Streets and Highways Code, and to amend Section 20002 of, and to add Section 24612 to, the Vehicle Code*, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 290, as amended, Committee on Transportation. Transportation.

(1) Existing law requires the Department of Transportation to furnish to the Department of General Services a record of each parcel of real property, where available, or identified transportation project, which it possesses, except certain existing properties or projects. Existing law further requires certain other descriptions to be provided.

This bill would recast these provisions to instead require the department to furnish the above record of each parcel to the Department of General Services by July 1, 2002, and each July 1, thereafter, with respect to lands and buildings, office buildings, maintenance stations, equipment yards, and parking facilities. The bill would require the project description to include a concise description of each major structure on the above described property.

(2) Existing law requires funds received by the Department of Transportation as reimbursement for any work performed by the department under contract or other agreement for any local agency or entity or for any other state agency or state entity be deposited in the Transportation Reimbursable Work Account which is a continuously appropriated account in the State Transportation Fund.

This bill would repeal those provisions.

(3) Existing law defines the terms “new motor vehicle” and “used motor vehicle” for purposes of the laws governing waste tires and tire hauler registration to mean any device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

This bill would similarly define the word “vehicle” within that definition and would exclude from that definition a self-propelled wheelchair, motorized tricycle or motorized quadricycle, as defined, or other similar vehicle, designed to be operated by a person who, by reason of the person’s physical disability, is otherwise unable to move about as a pedestrian, and a golf cart, as defined.

~~(2)~~

(4) Existing law authorizes the California Transportation Commission, upon a determination by the commission that it is in the best interests of the state to do so, to relinquish, upon terms and conditions approved by it, that portion or portions of State Highway Route 2 located within the City of West Hollywood or the City of Santa Monica, or both, to that city or cities, upon agreement by the city or cities to accept the relinquishment or relinquishments. A relinquishment under this authority is effective on the date specified in the commission’s approved terms and conditions with the respective city, and, thereafter, State Highway Route 2 may not include the portion or portions so relinquished, nor may the portion or portions be considered for future adoption by the state.

This bill would authorize the commission to relinquish to the City of Los Angeles a specified portion of State Highway Route 2, upon terms and conditions the commission finds to be in the best interests of the state, *and would require the City of Los Angeles to maintain within its jurisdiction certain directional signs, thereby imposing a state-mandated local program.* The relinquishment would become effective immediately following *the county recorder’s recordation of the relinquishment resolution containing the commission’s approval of*



the terms and conditions of the relinquishment. The portion of State Highway Route 2 relinquished as specified would cease to be a state highway on the effective date of the relinquishment.

~~(3)–~~

(5) Existing law lists and describes the highway routes in the state highway system, including State Highway Route 25.

This bill would amend the description of State Highway Route 25.

(6) *Under existing law, the driver of any vehicle involved in an accident resulting only in damage to any property, including vehicles, is allowed to move the vehicle, if possible, off the main lanes of the highway to a safe location within the immediate vicinity of the accident unless that action would create a traffic hazard or cause an injury to any person. Existing law requires that driver to undertake certain notification actions.*

This bill would recast this provision to require the driver involved in the described accident to, instead, immediately stop the vehicle at the nearest location that will not impede traffic or otherwise jeopardize the safety of other motorists. The bill would also require the driver to immediately undertake the notification requirements.

Because these changes would have the effect of expanding the scope of an existing crime, this bill would impose a state-mandated local program.

(7) *Existing law sets forth in the Vehicle Code lighting and reflector requirements for vehicles operating upon the highways.*

This bill would require all trailers and semitrailers having an overall width of 80 inches or more and a gross vehicle weight rating of more than 10,000 pounds, and manufactured on or after December 1, 1993, except as specified, and all truck tractors manufactured on or after July 1, 1997, to be equipped with the conspicuity system specified in a federal Motor Vehicle Safety Standard.

The bill would allow any trailer, semitrailer, or motor truck having an overall width of 80 inches or more and manufactured prior to December 1, 1993, and any truck tractor manufactured prior to July 1, 1997 to be equipped with the conspicuity system.

Because a violation of Vehicle Code equipment requirements is, under existing law, a crime, this bill would impose a state-mandated local program by creating a new crime.

(8) *The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that*



reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 SECTION 1. *Section 11011.18 of the Government Code is*
2 *amended to read:*

3 11011.18. ~~(a)~~The Department of Transportation, by July 1,
4 ~~1989~~ 2002, shall furnish to the Department of General Services
5 a record of each parcel of real property, ~~where available, or~~
6 ~~identified transportation project which it possesses except for~~
7 ~~existing highways, airspace, nonmarketable airspace, excess land~~
8 ~~inventory, or highway projects advertised for or already under~~
9 ~~construction with respect to lands and buildings, office buildings,~~
10 ~~maintenance stations, equipment yards, and parking facilities.~~
11 The record shall be furnished by the Department of Transportation
12 to the Department of General Services in a uniform format
13 specified by the Department of General Services. The Department
14 of General Services shall consult with the Department of
15 Transportation on the development of the uniform format. The
16 Department of Transportation shall update its descriptions of
17 projects, reflecting any changes, by July 1 of each year. This
18 project description shall include all of the following information:

19 ~~(1)~~

20 (a) The location of the project within the state and county,
21 including beginning and ending postmile and, if available, any
22 other relevant project data.

23 ~~(2)~~

24 (b) The total number of parcels of real property acquired for the
25 project.

~~(3)–~~

(c) The years of acquisition of the real property, if available.

~~(4)–~~

(d) The aggregate purchase price of the parcels of real property acquired for the project.

~~(5)–~~

(e) A description of the current uses of the property, if any, specifying the number of agricultural, commercial, residential, industrial, other rental accounts, and any projected future uses, if available.

(f) *A concise description of each major structure on the property.*

~~(b) For lands and buildings held by the Department of Transportation, including office buildings, maintenance stations, equipment yards, and parking facilities, the Department of Transportation shall also provide a concise description of each major structure on the property.~~

~~(e) For marketable airspace and excess lands held by the Department of Transportation, the Department of Transportation shall provide a separate inventory for each category no later than July 1, 1989, which shall be updated annually thereafter. The inventory shall be in the format provided by the Department of Transportation.~~

~~For lands declared to be surplus by the Department of Transportation, the Department of Transportation shall provide all the data presently contained in the surplus land inventory and shall also include the estimated value of real property when available. Where an actual appraisal is available, it may be used, but is not required.~~

~~The marketable airspace inventory shall include, at a minimum, all of the following:~~

~~(1) A description of the major structures, if any, on the property.~~

~~(2) Rental revenues derived from the property.~~

~~(3) A description of current uses of the property.~~

~~(4) Projected future uses of the property, if available.~~

SEC. 2. Section 14529.3 of the Government Code, as added by Chapter 783 of the Statutes of 1999, is repealed.

~~14529.3. (a) Funds received by the department as reimbursement for any work authorized by the Legislature~~

1 through the annual budget process to be performed by the
2 department under contract or other agreement for any local agency
3 or entity or for any other state agency or state entity shall be
4 deposited in the Transportation Reimbursable Work Account
5 which is hereby created in the State Transportation Fund.

6 ~~(b) Notwithstanding Section 13340 of the Government Code~~
7 ~~and without regard to fiscal years, the money in the account is~~
8 ~~hereby continuously appropriated to the department for the~~
9 ~~purpose of funding the performance of reimbursable work by the~~
10 ~~department.~~

11 ~~(c) The department may not make expenditures from the~~
12 ~~account unless the department has determined that it has sufficient~~
13 ~~resources to complete both the reimbursable project and all~~
14 ~~projects under the state transportation improvement program in a~~
15 ~~timely manner.~~

16 *SEC. 3.* Section 42803.5 of the Public Resources Code is
17 amended to read:

18 42803.5. (a) Except as provided in subdivision (b), “new or
19 used motor vehicle” means any device by which any person or
20 property may be propelled, moved or drawn upon a highway,
21 excepting a device moved exclusively by human power or used
22 exclusively upon stationary rails or tracks.

23 (b) “New or used motor vehicle” or “vehicle” does not
24 include any of the following:

25 (1) A self-propelled wheelchair.

26 (2) A motorized tricycle or motorized quadricycle, as defined
27 in Section 407 of the Vehicle Code, or other similar vehicle,
28 designed to be operated by a person who, by reason of the person’s
29 physical disability, is otherwise unable to move about as a
30 pedestrian.

31 (3) A golf cart, as defined in Section 345 of the Vehicle Code.

32 ~~SEC. 2.—~~

33 *SEC. 4.* Section 42950 of the Public Resources Code is
34 amended to read:

35 42950. For purposes of this chapter, the following definitions
36 apply:

37 (a) “Agricultural purposes” means the use of waste tires as
38 bumpers on agricultural equipment or as a ballast to maintain
39 covers or structures at an agricultural site.

1 (b) (1) “Altered waste tire” means a waste tire that has been
2 baled, shredded, chopped, or split apart. “Altered waste tire” does
3 not mean crumb rubber.

4 (2) “Alteration” or “altering,” with reference to a waste tire,
5 means an action that produces an altered waste tire.

6 (c) “Applicant” means any person seeking to register as a
7 waste tire hauler.

8 (d) “Baled tire” means either a whole or an altered tire that has
9 been compressed and then secured with a binding material for the
10 purpose of reducing its volume.

11 (e) “Common carrier” means a “common carrier,” as defined
12 in Section 211 of the Public Utilities Code.

13 (f) “Crumb rubber” means rubber granules derived from a
14 waste tire that are less than or one-quarter inch or six millimeters
15 in size.

16 (g) “Repairable tire” means a worn, damaged, or defective tire
17 that is retreadable, recappable, or regrooveable, or that can be
18 otherwise repaired to return the tire to use as a vehicle tire, and that
19 meets the applicable requirements of the Vehicle Code and Title 13
20 of the California Code of Regulations.

21 (h) “Scrap tire” means a worn, damaged, or defective tire that
22 is not a repairable tire.

23 (i) “Tire derived product” means material that meets both of
24 the following requirements:

25 (1) Is derived from a process using whole tires as a feedstock.
26 A process using whole tires includes, but is not limited to,
27 shredding, crumbing, or chipping.

28 (2) Has been sold and removed from the processing facility.

29 (j) “Used tire” means a tire that meets all of the following
30 requirements:

31 (1) The tire is no longer mounted on a vehicle but is still
32 suitable for use as a vehicle tire.

33 (2) The tire meets the applicable requirements of the Vehicle
34 Code and of Title 13 of the California Code of Regulations.

35 (3) (A) The used tire is stored by size in a rack or a stack, but
36 not in a pile, in a manner approved by the local fire marshal and
37 vector control authorities and in accordance with the state
38 minimum standards.

39 (B) A used tire stored pursuant to this section shall be stored in
40 a manner to allow the inspection of each individual tire.

(k) (1) “Vehicle means any device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

(2) “Vehicle” does not include any of the following:

(A) A self-propelled wheelchair.

(B) A motorized tricycle or motorized quadricycle, as defined in Section 407 of the Vehicle Code, or other similar vehicle designed to be operated by a person who, by reason of the person’s physical disability, is otherwise unable to move about as a pedestrian.

(C) A golf cart as defined in Section 345 of the Vehicle Code.

(l) “Waste tire” means a tire that is no longer mounted on a vehicle and is no longer suitable for use as a vehicle tire due to wear, damage, or deviation from the manufacturer’s original specifications. A waste tire includes a repairable tire, scrap tire, and altered waste tire, but does not include a tire derived product, crumb rubber, or a used tire that is organized for inspection and resale by size in a rack or a stack in accordance with subdivision (j).

~~SEC. 3.—~~

SEC. 5. Section 302 of the Streets and Highways Code is amended to read:

302. (a) Route 2 is from:

(1) The point where Santa Monica Boulevard crosses the city limits of the City of Santa Monica at Centinela Avenue to Route 101 in Los Angeles.

(2) Route 101 in Los Angeles to Route 210 in La Canada Flintridge via Glendale.

(3) Route 210 in La Canada Flintridge to Route 138 via Wrightwood.

(b) Upon a determination by the commission that it is in the best interests of the state to do so, the commission may, upon terms and conditions approved by it, relinquish that portion or portions of Route 2 located within the City of West Hollywood or the City of Santa Monica, or both, to that city or cities, upon agreement by the city or cities to accept the relinquishment or relinquishments. A relinquishment shall be effective on the date specified in the commission’s approved terms and conditions with the respective city. Thereafter, Route 2 shall not include the portion or portions

so relinquished, nor shall the portion or portions be considered for future adoption in accordance with Section 81. For portions of Route 2 that are so relinquished, the City of West Hollywood or the City of Santa Monica, or both, shall maintain within their respective jurisdictions signs directing motorists to the continuation of State Highway Route 2.

(c) (1) Notwithstanding subdivision (a), the commission may relinquish to the City of Los Angeles the portion of Route 2 that is located between Route 405 and Moreno Drive in that city, upon terms and conditions the commission finds to be in the best interests of the state.

(2) A relinquishment under this subdivision shall become effective immediately following the *county recorder's recordation of the relinquishment resolution containing the commission's* approval of the terms and conditions of the relinquishment.

(3) On and after the effective date of the relinquishment, both of the following shall occur:

(A) The portion of Route 2 relinquished under this subdivision shall cease to be a state highway.

(B) The portion of Route 2 relinquished under this subdivision shall be ineligible for future adoption under Section 81.

(4) *For those portions of Route 2 that are relinquished, the City of Los Angeles shall maintain within its jurisdiction signs directing motorists to the continuation of Route 2.*

~~SEC. 4.—~~

SEC. 6. Section 325 of the Streets and Highways Code is amended to read:

325. Route 25 is from:

~~(a) Route 198 to Route 156 near Hollister.~~

~~(b) Route 156 near Hollister to Route 101 near Gilroy. Route 198 to Route 101, near Gilroy.~~

SEC. 7. Section 20002 of the Vehicle Code is amended to read:

20002. (a) The driver of any vehicle involved in an accident resulting only in damage to any property, including vehicles, ~~may move the vehicle, if possible, off the main lanes of the highway to a safe location within the immediate vicinity of the accident unless that action would create a traffic hazard or cause an injury to any person shall immediately stop the vehicle at the nearest location that will not impede traffic or otherwise jeopardize the safety of other motorists.~~ Moving the vehicle in accordance with this

1 subdivision does not affect the question of fault. The driver shall
2 also *immediately* do either of the following:

3 (1) Locate and notify the owner or person in charge of that
4 property of the name and address of the driver and owner of the
5 vehicle involved and, upon locating the driver of any other vehicle
6 involved or the owner or person in charge of any damaged
7 property, upon being requested, present his or her driver's license,
8 and vehicle registration, to the other driver, property owner, or
9 person in charge of that property. The information presented shall
10 include the current residence address of the driver and of the
11 registered owner. If the registered owner of an involved vehicle is
12 present at the scene, he or she shall also, upon request, present his
13 or her driver's license information, if available, or other valid
14 identification to the other involved parties.

15 (2) Leave in a conspicuous place on the vehicle or other
16 property damaged a written notice giving the name and address of
17 the driver and of the owner of the vehicle involved and a statement
18 of the circumstances thereof and shall without unnecessary delay
19 notify the police department of the city wherein the collision
20 occurred or, if the collision occurred in unincorporated territory,
21 the local headquarters of the Department of the California
22 Highway Patrol.

23 (b) Any person who parks a vehicle which, prior to the vehicle
24 again being driven, becomes a runaway vehicle and is involved in
25 an accident resulting in damage to any property, attended or
26 unattended, shall comply with the requirements of this section
27 relating to notification and reporting and shall, upon conviction
28 thereof, be liable to the penalties of this section for failure to
29 comply with the requirements.

30 (c) Any person failing to comply with all the requirements of
31 this section is guilty of a misdemeanor and, upon conviction
32 thereof, shall be punished by imprisonment in the county jail not
33 exceeding six months, or by a fine not exceeding one thousand
34 dollars (\$1,000), or by both that imprisonment and fine.

35 *SEC. 8. Section 24612 is added to the Vehicle Code, to read:*

36 24612. (a) *All trailers and semitrailers having an overall*
37 *width of 80 inches or more and a gross vehicle weight rating of*
38 *more than 10,000 pounds, and manufactured on or after December*
39 *1, 1993, except those designed exclusively for living or office use,*
40 *and all truck tractors manufactured on or after July 1, 1997, shall*

1 *be equipped with the conspicuity system specified in federal Motor*
2 *Vehicle Safety Standard No. 108 (49 C.F.R. 571.108). The*
3 *conspicuity system shall consist of either retroreflective sheeting*
4 *or reflex reflectors, or a combination of retroreflective sheeting*
5 *and reflex reflectors, as specified in the federal standard*
6 *applicable on the date of manufacture of the vehicle.*

7 *(b) Any trailer, semitrailer, or motor truck having an overall*
8 *width of 80 inches or more and manufactured prior to December*
9 *1, 1993, and any truck tractor manufactured prior to July 1, 1997,*
10 *may be equipped with the conspicuity system described in*
11 *subdivision (a).*

12 *SEC. 9. No reimbursement is required by this act pursuant to*
13 *Section 6 of Article XIII B of the California Constitution for*
14 *certain costs that may be incurred by a local agency or school*
15 *district because in that regard this act creates a new crime or*
16 *infraction, eliminates a crime or infraction, or changes the penalty*
17 *for a crime or infraction, within the meaning of Section 17556 of*
18 *the Government Code, or changes the definition of a crime within*
19 *the meaning of Section 6 of Article XIII B of the California*
20 *Constitution.*

21 *However, notwithstanding Section 17610 of the Government*
22 *Code, if the Commission on State Mandates determines that this*
23 *act contains other costs mandated by the state, reimbursement to*
24 *local agencies and school districts for those costs shall be made*
25 *pursuant to Part 7 (commencing with Section 17500) of Division*
26 *4 of Title 2 of the Government Code. If the statewide cost of the*
27 *claim for reimbursement does not exceed one million dollars*
28 *(\$1,000,000), reimbursement shall be made from the State*
29 *Mandates Claims Fund.*